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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Thomas Zdeblick et al.	<ul><li>Before the Examiner</li><li>Julian W. Woo</li></ul>
Application Serial No. 10/644,252	) Group Art Unit 3731
Filed August 20, 2003	) Ref. No. 4002-3378/ ) PC242.38
INTERBODY FUSION DEVICE AND METHOD FOR RESTORATION OF NORMAL SPINAL ANATOMY	) ) July 1, 2005

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, Applicants would like to bring to the Examiner's attention that a Request for Interference with the present application was filed in copending U.S. Patent Application No. 10/740,747 (U.S. Patent Application Publication No. 2004-0133277 A1). A copy of that Request is enclosed for the Examiner's convenience. The cited information is also listed on the attached PTO Form 1449.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9306 on:

July 1, 2005

Date of Transmission

Brad A. Schepers

Name of Redistered Representative

Signature

July 1, 2005

Date of Signature

Supplemental Information Disclosure Statement Application Serial No. 10/644,252 Inventors: Thomas Zdeblick et al. Page 1 of 2 The Request for Interference states that Claims 44 and 46-48 of the present application correspond to Claims 1-4, respectively, of the proposed count. The Request has not yet been acted on by the Examiner in the '747 application.

Also, Applicants note that the '747 application is in the same chain as U.S. Patent Application No. 07/205,935, which issued as U.S. Patent No. 5,015,247. The '247 patent is of record in the present application inasmuch as it was cited in the Information Disclosure Statement filed on August 20, 2003.

Applicants request favorable consideration of this Information Disclosure Statement. Should any fee be required, please charge such fee to Deposit Account No. 12-2424.

Respectfully submitted,

Brad A. Schepers Reg. No. 45,431

Krieg DeVault LLP One Indiana Square, Suite 2800

Indianapolis, IN 46204-2079

(317) 238-6334

Supplemental Information Disclosure Statement Application Serial No. 10/644,252 Inventors: Thomas Zdeblick et al. Page 2 of 2

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PTO/SB/08A (08-03) Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1895, no persons are required to respond to a collection of information unless it contains a valid OMS control number.

Complete if Known Substitute for form 1449/PTO **Application Number** 10/644,252 Filing Date **INFORMATION DISCLOSURE** August 20, 2003 First Named Inventor Thomas Zdeblick STATEMENT BY APPLICANT Art Unit 3731 (Use as many sheets as necessary) **Examiner Name** Julian W. Woo Sheet 1 of 1

Attorney Docket Number 4002-3378/PC242.38 **U. S. PATENT DOCUMENTS** Examiner Cite No. **Document Number** Name of Patentee or Publication Date Pages, Columns, Lines, Where MM-DD-YYYY Applicant of Cited Document Relevant Passages or Relevant Number-Kind Code<sup>2 (7 known)</sup> Figures Appear <sup>US-</sup>US 2004-0133277 07/08/2004 Michelson Interference Request US-US-US-US US-US-US: ÜS-US-US-บร-

FOREIGN PATENT DOCUMENTS							
	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the This collection or information is required by 37 CFR 1.97 and 1.95. The information is required to contain or retain a benefit by the public which is to life (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.